



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,200	04/05/2007	Mark Shuster	2725-30106	7817
78091	7590	10/07/2008	EXAMINER	
Conley Rose, P.C			DANG, HOANG C	
P.O. Box 3267			ART UNIT	PAPER NUMBER
Houston, TX 77253-3267			3672	
			MAIL DATE	
			10/07/2008	DELIVERY MODE
				PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/568,200	SHUSTER ET AL.	
	Examiner	Art Unit	
	Hoang Dang	3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 September 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-8, 127, 135, 142, 194, 199, 205, 310, 516, 667, 673, 729, 758, 761, 763, 767, 770, 775, 779, 780, 789, 790, 792, 804, 813, 817, 819, 822, 825, 827, 831 and 832 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

Continuation of Disposition of Claims: Claims pending in the application are 1-8,127,135,142,194,199,205,310,516,667,673,729,758,761,763,767,770,775,779,780,789,790,792,804,813,817,819,822,825,827,831 and 832.

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1, 142, 205, 310 and 673, drawn to either a method of forming a tubular liner within a preexisting structure, an apparatus, a radially expandable tubular member apparatus, a method of joining radially expandable tubular members or an expandable tubular member.

Group II, claim(s) 2 and 825, drawn to an expandable tubular member.

Group III, claim(s) 3 and 4, drawn to an expandable tubular member.

Group IV, claim(s) 5, drawn to an expandable tubular member.

Group V, claim(s) 6-7, drawn to an expandable member.

Group VI, claim(s) 8, drawn to an expandable tubular member.

Group VII, claim(s) 127, drawn to a method of radially expanding and plastically deforming a tubular assembly.

Group VIII, claim(s) 135, drawn to a method of manufacturing a tubular member.

Group IX, claim(s) 194 and 199, drawn to a method of determining the expandability of a selected tubular member.

Group X, claim(s) 516 and 667, drawn to an expandable tubular member.

Group XI, claim(s) 729 and 758, drawn to a method of manufacturing an expandable tubular member.

Group XII, claim(s) 761, drawn to a method for expanding an expandable tubular member.

Group XIII, claim(s) 763 drawn to a method for formability evaluation.,

Group XIV, claim(s) 767, 775, 779, 789, 827and 831, drawn to an expandable tubular member.

Group XV, claim(s) 770, drawn to a method for transforming the yield strength of an expandable tubular member.

Group XVI, claim(s) 780, drawn to an expansion device.

Group XVII, claim(s) 790 and 792, drawn to an expandable member.

Group XVIII, claim 804, drawn to an expandable tubular member.

Group XIX, claim(s) 813 and 817, drawn to an expandable tubular member.

Group XX, claim(s) 819 and 822, drawn to an expandable tubular member.

Group XXI, claim(s) 832, drawn to an expandable tubular member

2. The inventions listed as Groups I-XXI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

The special technical feature of the claims of Group I is a predetermined portion of the tubular assembly having a lower yield point than another portion of the tubular assembly prior to expansion.

The special technical feature of the claims of Group II is the composition by weight of the steel alloy.

The special technical feature of the claims of Group III is the ranges of yield point changes of the expandable tubular member before and after expansion.

The special technical feature of the claims of Group IV is the anisotropy of the expandable tubular member prior to expansion.

The special technical feature of the claims of Group V is the expandability coefficient of the expandable tubular member.

The special technical feature of the claims of Group VI is the higher ductility and lower yield point of the expandable tubular member prior to expansion.

The special technical feature of the claims of Group VII is the use of less power to radially expand each unit length of the first tubular member than to radially expand each unit length of the second tubular member.

The special technical feature of the claims of Group VIII is the processing of the tubular member from one or more intermediate characteristics to one or more final characteristics within a preexisting structure.

The special technical feature of the claims of Group IX is the method for determining the expandability of a tubular member.

The special technical feature of the claims of Group X is the carbon content and carbon equivalent value of the tubular member.

The special technical feature of the claims of Group XI is cold working a tubular member after heating and quenching to increase the yield strength of the tubular member.

The special technical feature of the claims of Group XII is the lubrication of the tubular member.

The special technical feature of the claims of Group XIII is the selection of an expandable tubular member for manufacture based on the formability evaluation of the tubular member.

The special technical feature of the claims of Group XIV is the combination of yield strength, tensile strength and elongation change of the expandable tubular member.

The special technical feature of the claims of Group XV is the transformation of the yield strength of an expandable tubular member by inter-critical annealing the tubular member and heating the tubular member after expansion.

The special technical feature of the claims of Group XVI is the provision of self lubricating hard and soft coatings on the surface of an expansion device.

The special technical feature of the claims of Group XVII is the friction coefficient of 0.02 between the expandable tubular member and an expansion device.

The special technical feature of the claims of Group XVIII is the percentage changes after a 15.6% to 24 % radial expansion and plastic deformation of the tubular member.

The special technical feature of the claims of Group XIX is the changes in tensile strength of the tubular member before and after expansion.

The special technical feature of the claims of Group XX is the quenching in water or oil of the tubular member.

The special technical feature of the claims of Group XXI is the absorbed energy in the longitudinal direction, transverse direction and in the weld.

The claims of Groups I-XXI lack unity because they do no rely on a same special technical feature as pointed out above.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang Dang whose telephone number is 571-272-7028. The examiner can normally be reached on 9:15-5:45 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hoang Dang/

Primary Examiner, Art Unit 3672

Application/Control Number: 10/568,200
Art Unit: 3672

Page 6